

Mar 24, 2022

s/ Daryl Olszewski

**Deputy Clerk, U.S. District Court  
Eastern District of Wisconsin**

In the Matter of the Search of

*(Briefly describe the property to be searched or identify the person by name and address)*

Jacob L. Maclin's (DOB: xx/1981) DNA

Case No. 22 MJ 59

**Matter No.: 2021R00202**

**APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

located in the \_\_\_\_\_ District of \_\_\_\_\_, there is now concealed (*identify the person or describe the property to be seized*):

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 922(g)(1); 18 U.S.C. 841(a)(1) and 924 (c)(1)(A)(i)	Felon in Possession of Firearms; Possession with Intent to Distribute 40 grams or more of Fentanyl; and Possession of a Firearm in Furtherance of a Drug Trafficking Crime.

The application is based on these facts:

See attached affidavit.

Continued on the attached sheet.

Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

*Applicant's signature*

Jacob A. Bellmering

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
telephone *(specify reliable electronic means)*

Date: 3/24/2022

itable electronic means).

William B. Duffin

Judge's signature

Honorable William E. Duffin, U.S. Magistrate Judge

**AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR A SEARCH WARRANT**

I, Jacob Dettmering, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a search warrant to collect an oral swab of DNA from JACOB L. MACLIN (DOB: XX/XX/1981).
2. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since January 2018. Since April 1, 2020, I have been assigned to FBI's Milwaukee Area Safe Streets Task Force (MASSTF), a multi-jurisdictional law enforcement entity charged with investigating violations of federal law, including bank robberies, commercial robberies, armed motor vehicle robberies, and other violent crime matters, defined under Title 18 of the United States Code. I have been trained in a variety of investigative and legal matters, including the topics of Fourth Amendment searches, the drafting of search warrant affidavits, and probable cause. I have participated in criminal investigations, surveillance, search warrants, cellular telephone extractions, interviews, and debriefs of arrested subjects. As a result of this training and investigative experience, I have learned how and why violent actors typically conduct various aspects of their criminal activities.
3. Information contained in this affidavit was either obtained directly by me or by other investigators who I believe to be truthful and credible. The facts in this affidavit come from

personal observations, training and experience, and information obtained from other investigators and witnesses.

4. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

5. Based on the investigation to date, there is probable cause that JACOB L. MACLIN (DOB: XX/XX/1981), on or about March 23, 2021, in Milwaukee County, in the Eastern District of Wisconsin, violated Title 18, United States Code, Section 922(g)(1) (Felon in Possession of Firearms), Title 18, United States Code, Section 841(a)(1) (Possession with Intent to Distribute 40 grams or more of Fentanyl) and Title 18, United States Code, Section 924(c)(1)(A)(i)(Possession of a Firearm in Furtherance of a Drug Trafficking Crime). A grand jury sitting in this district returned an indictment against Maclin for the above three offenses and a trial date is now set for June 13, 2022, before Judge Lynn Adelman. The assigned case number in this district is 21CR113.

6. DNA swabs were taken from the Sig Sauer 9mm firearm described below in paragraph 9 during a search warrant execution at 2329 S. 5<sup>th</sup> Place in Milwaukee, Wisconsin. A DNA swab from Maclin as requested in this warrant will allow the State Crime Lab to attempt to determine if any traces of his DNA are on this firearm. If traces of Maclin's DNA is identified on the Sig Sauer, such evidence will corroborate his statements that he handled this firearm shortly before the search warrant execution. No items in case number 21CR113 have previously been tested for DNA.

#### **PROBABLE CAUSE**

7. On March 23, 2021, officers executed a search warrant at Jacob L. Maclin's residence located at 2329 S. 5<sup>th</sup> Place, Lower in Milwaukee, Wisconsin. The home is a duplex and

the lower unit consists of three bedrooms. A security system appeared to be set up with cameras both inside and outside the residence. Maclin was in the residence and approaching the front door when officers arrived to execute the warrant. After seeing them at the front door, Maclin retreated and jumped out a bedroom window and ran into the backyard where he attempted to jump a fence. Officers, however, stopped Maclin and he was arrested. A trail of money followed Maclin's flight path from the front door to the bedroom window he jumped from.

8. A subsequent search of the lower unit revealed a total of 97 grams of fentanyl and 6 grams of heroin, 17 grams of suspected crack cocaine, 11 grams of suspected marijuana, 26 suspected oxycodone pills, 8 digital scales, 2 money counters, \$5,562 in United States Currency, a loaded Sig Sauer, P320 9mm pistol with serial number 58H072509 (stolen), 26 rounds of 9mm ammunition, 3 boxes of sandwich baggies and chore boy throughout the residence. Identifiers for Maclin were also found throughout the residence. The location of the above items located throughout the home are detailed below.

9. In the kitchen, on the island, the following items were recovered:

- a baggie containing a quantity of fentanyl
- a baggie containing 9.3 grams of suspected crack cocaine
- a black plate with a razor blade on it containing 3.49 grams of suspected crack cocaine
- a box of sandwich baggies
- a Weighmax brand scale with a brown powder residue

In addition to the above, two additional boxes of sandwich baggies, 4 additional digital scales and chore boy was located in other areas in the kitchen. A loaded 9mm Sig Saur pistol was also located next to the sink directly across from the kitchen island.

10. In the living room, two money counters, 11.23 grams of marijuana, and identifiers for Maclin were found in a black Nike lunch box. Two receipts dated February 24 and 28, 2021 from two different furniture stores reflected Maclin's name and address at S. 5<sup>th</sup> Place. One receipt reflected Maclin would take delivery of the purchases the following day, on February 25, 2021.

11. In the south bedroom, under the window Maclin jumped from, a blue "Nivea for men" bag containing \$5,000 of rubber banded United States Currency was located beneath the window. There were also loose bills outside the window and on the bedroom floor. A digital scale was found in a storage bin, 26 suspected oxycodone pills and keys to the residence were also located in the room.

12. In the main front bedroom, a wallet with Maclin's Wisconsin driver's license was located on the floor. Also on the floor were 2 digital scales, a box of Remington 9mm ammunition with 26 unfired cartridges, a box for a SCCY, model CPX-2 9mm firearm with serial number C036509, and a gun holster. A quantity of fentanyl was in a black travel bag on the floor. Two corner cuts were also located in the following areas: a .15-gram corner cut of heroin in a pair of jeans and a .51-gram corner cut on the floor. Keys to a Camry and Dodge Caravan Maclin operated were also found in a sweatshirt on the floor. As detailed below, a search of those two cars resulted in the recovery of a second firearm and more suspected heroin and crack cocaine.

13. A search of the 2020 Toyota Camry parked outside the residence revealed a light blue SCCY, CPX-2 9mm firearm in the center console. The box for this gun was found in Maclin's bedroom. The Camry was a rental from Enterprise. In the Dodge Caravan outside the residence, which listed to Apre Maclin, the center console contained 38 corner cuts of suspected crack totaling 8.27 grams. A tin found on the driver side door contained 7 corner cuts of suspected heroin totaling 1.43 grams and a corner cut of suspected crack cocaine totaling .17 grams.

14. During the search warrant execution, Maclin's wife arrived on scene and stated she and Maclin recently separated and that he lived at the S. 5<sup>th</sup> Place location. A residential lease for the property showed Maclin and his wife signed a purchase agreement for the duplex on February 10, 2021.

15. On March 24, 2021, in a *Mirandized* statement, Maclin stated he has been renovating the lower unit of the S. 5<sup>th</sup> Place duplex for a year and that he was attempting to purchase the property. He recently moved into the residence and used both bedrooms but stated not all his things were in the residence. He stated more than \$3,000 of supplies for the renovation were in the residence. There was also a full bar and Maclin noted the supply of liquor was for his birthday, which was in late January.

16. Maclin further admitted to distributing heroin and crack cocaine from the residence. He stated he either supplied clients that came to the home by directing them to his car or a location around the block from the residence. He stated he serves 9 to 10 clients per day and admitted to serving a customer the morning of the search warrant execution. He stated that he typically sells 2.5 to 3 grams of heroin at a price of \$100 to \$220 for every 2 grams. If a larger quantity of heroin is sold (example discussed was 12 grams), the price charged is \$70 to \$80 per gram. He stated he sells crack cocaine at \$100 per gram and he knows how to cook cocaine into crack. Maclin admitted that 7 grams of heroin in his bedroom belonged to him. He later admitted that "everything" in the bedroom belonged to him. He stated the drugs in the kitchen were left there the night before for someone else. He stated two other people were involved in drug dealing from the residence, but he declined to name them.

17. With respect to the gun in the kitchen, Maclin stated it was on the counter all night. One to two weeks prior to the search warrant, Maclin stated he moved the gun from the bar to the

counter. As to the light blue gun located in the rented Camry, Maclin stated he also handled this gun one time, but that it belonged to his brother. Maclin did not explain why the box for this same gun, magazine and gun lock were all in his bedroom.

18. Maclin stated he has worked one day a week for the last 8 months at Cosmo Beauty Supply in Milwaukee, WI.

19. Maclin is prohibited from possessing any firearms and has prior felony convictions of robbery with use of force in 1999 and manufacture/deliver cocaine, and felon in possession of a firearm in 2003. He also committed this offense while on pretrial release for similar charges.